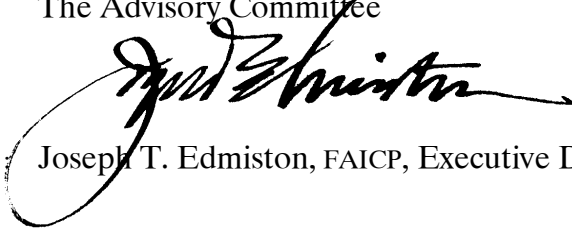


Memorandum

To : The Conservancy
The Advisory Committee

Date: January 22, 2007

From : 
Joseph T. Edmiston, FAICP, Executive Director

Amended Staff Report

Subject: **Agenda Item 14: Consideration of resolution authorizing the Executive Director to submit an application to the City of Malibu for amendment to the Malibu Local Coastal Program pursuant to Public Resources Code Sec. 30515.**

Staff Recommendation: That the Conservancy adopt the attached resolution authorizing the Executive Director to submit an application to the City of Malibu for amendment to the Malibu Local Coastal Program pursuant to Public Resources Code section 30515.

Legislative Authority: Section 30515 of the Public Resources Code provides in part:

Any person authorized to undertake a public works project...may request any local government to amend its certified local coastal program, if the purpose of the proposed amendment is to meet public needs of an area greater than that included within such certified program that had not been anticipated by the person making the request at the time the local coastal program was before the commission for certification....If the local government does not amend its local coastal program, such person may file with the commission a request for amendment which shall set forth the reasons why the proposed amendment is necessary and how the amendment is in conformity with the policies of this division.

Background: The Santa Monica Mountains Conservancy, Mountains Recreation and Conservation Authority (MRCA), and City of Malibu have entered into a Memorandum of Understanding that is on the whole procedural and provides that the Conservancy and MRCA will file an application for an amendment to the Malibu Local Coastal Program (LCP). The content of the application for amendment to Malibu's LCP will be substantially similar to the adopted Malibu Parks Public Access Enhancement Plan - Public Works Plan (PWP), a proposed LCP amendment that would meet the public access and recreation needs of an area greater than that currently addresses in the certified LCP, with the following changes: addition of Charmlee Wilderness Park for overnight camping, the elimination of Escondido Canyon Park for overnight camping if Charmlee is included, and an expansion of the City of Malibu's shuttle system. Final details will be worked out in meetings between staff of the Conservancy and MRCA on the one hand and the City of Malibu on the other.

The Malibu LCP was certified in September of 2002. At that time the Conservancy had a Coastal Development Permit approved by the Coastal Commission for all uses and programs at Ramirez Canyon Park. The Conservancy had not anticipated the need for a comprehensive recreational program as described in the recently adopted Malibu Parks Public Access Enhancement Plan - Public Works Plan , including, without limitation, overnight camping. In addition, the Conservancy could not have anticipated the City's interpretation of the LCP as stated more recently in the City's objections to the Conservancy's adoption of the PWP - including objections directed to overnight camping and parking. The proposed amendment would clarify permitted uses under the LCP. Thus the proposed LCP amendment qualifies under Section 30515 of the Coastal Act.